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FROM: Morris, Manning & Martin, LLP

CHARGE TO:

NAME: John R. Harris

CLIENT/MATTER: 10161-28700

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CONFIRMATION TIME:

HR MIN SEC

**SUPPLEMENTAL AMENDMENT AND RESPONSE TO RESTRICION REQUIREMENT,
REQUEST FOR REJOINDER, AND RECORD OF INTERVIEW**

Serial No. 09/473,383
Applicant: Dominic J. Morea et al.
Filed: December 28, 1999
Group Art Unit: 3627
Confirmation No.: 9919

CERTIFICATE OF FACSIMILE TRANSMISSION

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Patents
Serial No. 09/473,383

24728
PATENT - TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DOMINIC J. MOREA ET AL.)	Group No.	3627
)		
Application No.:	09/473,383)	Examiner:	G. J. O'Connor
)		
Filing Date:	DECEMBER 28, 1999)	Confirmation	No. 9919
)		
Entitled:	MERCHANT ACCOUNT ACTIVATION SYSTEM)	Atty. Docket	10161-28700
)		

**SUPPLEMENTAL AMENDMENT AND RESPONSE TO RESTRICTION
REQUIREMENT, REQUEST FOR REJOINDER, AND RECORD OF INTERVIEW**

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313

VIA FACSIMILE 571 273 8300

In further response to the Office Action mailed June 24, 2005, containing a restriction requirement, and supplemental to the Response to (Second) Restriction Requirement filed by facsimile on July 25, 2005, and in furtherance of this (second) Request for Continued Examination (RCE), please amend the application as follows and consider the appended remarks.

This amendment is submitted in compliance 37 C.F.R. § 1.121 and contains the following separate sections that start on a separate sheet:

Introductory Remarks / Record of Interview begin on page 2 of this paper.

Amendments to the Claims begin on page 4 of this paper.

Remarks begin on page 16 of this paper.

CERTIFICATE OF TRANSMISSION

I hereby certify under 37 C.F.R. § 1.8 that this correspondence is being filed via facsimile at the United States Patent and Trademark Office on September 27, 2005 to the following number: 571 273 8300.

John R. Harris Reg. No. 30,388

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INTRODUCTORY REMARKS

This response is supplemental to the Response to (Second) Restriction Requirement filed on July 25, 2005, and reflects certain amendments to the election and claim grouping discussed with Examiner Jerry O'Connor on September 12 and 23, 2005.

In accordance with those discussions, the applicant hereby withdraws the election of the Group I invention (claims 1-14, 17-19, 22, 23, and 45), submits amendments to the Group II claims (26-44 and 46) and Group III claims (claims 53-55) as set forth below, requests rejoinder of the Group II inventions and the Group III inventions, elects such Group II and III claims as rejoined, and cancels the claims of Group I (without prejudice).

Claims 1-15, 17-20, 22-24, and 26-52 are pending in this application, prior to this amendment. With this amendment, the claims of Group I (claims 1-14, 17-19, 22, 23, and 45) have been canceled. The claims of Groups II (26-44 and 46) and III (claims 53-55) have been amended in accordance with the telephone interview with the examiner, and should be in condition for rejoinder.

RECORD OF INTERVIEW

Subsequent to the Response to (Second) Restriction Requirement filed on July 25, 2005, electing the Group I inventions, the examiner called the undersigned to discuss the election and suggest certain changes to the claims that would remove certain objections relating to the wording of the claims. In this regard, the undersigned spoke with Examiner O'Connor by telephone on September 16 and 23, 2005, to discuss the election and possible further amendments. The applicants and the undersigned appreciate the courtesy extended by the examiner during these discussions.

Pursuant to 37 C.F.R. § 1.133(b), the following is submitted as a complete written statement of the reasons presented at the interview as warranting favorable action. The following statement is intended to comply with the requirements of MPEP § 713.04 and expressly sets forth: (A) a brief description of the nature any exhibit shown or any demonstration conducted; (B) identification of the claims discussed; (C) identification of specific prior art discussed; (D) identification of the principal proposed amendments of a substantive nature discussed; (E) the general thrust of the principal arguments; and (F) a

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general indication of any other pertinent matters; and (G) the general results or outcome of the interview, if appropriate.

- (A) No exhibits were shown or discussed.
- (B) Independent claims 1, 26, and 53 were specifically discussed, as exemplary of the issues with claim wording.
- (C) No art was discussed.
- (D) Specific proposed amendments are as set forth in this amendment.
- (E) The general thrust of the discussion was as set forth below in the next paragraphs.
- (F) The applicant's election of the Group I invention was discussed, and whether applicant could withdraw the election in favor of rejoined Groups II and III.
- (G) No agreement was reached during the interview regarding the claims.

The general thrust of the discussion related to the wording of the claims. The examiner indicated that the Group I inventions as presently worded (all method claims) appeared to lack sufficient technical character and remained objectionable as not directed to statutory subject matter. Without admitting the propriety of the examiner's objections, the applicant agreed to withdraw the election of the Group I inventions, in favor of the Group III inventions, preferably rejoined with the Group II inventions. Further, applicant agreed to submit additional amendments to the Group II and III claims to emphasize the technical character of the inventions. (The amendments in this paper are in accordance with the discussions with the examiner.)

In the event that the foregoing record is not considered complete and accurate, the examiner is respectfully requested to bring any incompleteness or inaccuracy to the attention of the undersigned.